

FILED  
GREAT FALLS DIV.

2011 SEP 14 PM 12 19

IN THE UNITED STATES DISTRICT COURT

PATRICK E. DUFFY, CLERK

FOR THE DISTRICT OF MONTANA BY \_\_\_\_\_

DEPUTY CLERK

GREAT FALLS DIVISION

LAVERNE J. VONDAL,

Petitioner,

vs.

WARDEN MARTIN FRINK;  
ATTORNEY GENERAL OF THE  
STATE OF MONTANA,

Respondent.

No. CV-11-42-GF-SEH

**ORDER**

On August 29, 2011, United States Magistrate Judge Keith Strong entered his Findings and Recommendation<sup>1</sup> in this matter. Plaintiff filed objections to Judge Strong's Findings and Recommendation on September 12, 2011.<sup>2</sup>

The Court has fully considered Plaintiff's motion and has reviewed *de novo* Judge Strong's Findings and Recommendations. 28 U.S.C. § 636(b)(1). Upon *de novo* review of the record, I find no error in Judge Strong's Findings and Recommendation and adopt them in full.

---

<sup>1</sup> Document No. 12.

<sup>2</sup> Document No. 13.

ORDERED:

1. Plaintiff's Petition for Writ of Habeas Corpus<sup>3</sup> is DISMISSED with prejudice as time-barred and as procedurally defaulted without excuse.
2. A certificate of appealability is DENIED as the matter is time-barred.
3. The Clerk is directed to enter judgment accordingly.

DATED this 14<sup>th</sup> day of September, 2011.

  
SAM E. HADDON  
United States District Judge

---

<sup>3</sup> Document No. 1.